

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CRANE MERCHANDISING  
SYSTEMS, INC.,**

**Plaintiff,**

**vs.**

**NEWZOOM, LLC, BEST BUY  
STORES, L.P., BENEFIT COSMETICS  
LLC, and MACY'S, INC.,**

**Defendants.**

**C.A. No. 17-1000-MN**

**PUBLIC VERSION**

**DECLARATION OF MATTHEW D. MICHAEL  
IN SUPPORT OF CRANE MERCHANDISING SYSTEMS, INC.'S  
MOTION TO ENFORCE SETTLEMENT AGREEMENT**

Dated: December 23, 2020

**YOUNG CONAWAY STARGATT &  
TAYLOR, LLP**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**CRANE MERCHANDISING  
SYSTEMS, INC.,**

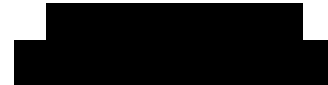
**Plaintiff,**

**vs.**

**NEWZOOM, LLC, BEST BUY  
STORES, L.P., BENEFIT COSMETICS  
LLC, and MACY'S, INC.,**

**Defendants.**

**C.A. No. 17-1000-MN**



**DECLARATION OF MATTHEW D. MICHAEL  
IN SUPPORT OF CRANE MERCHANDISING SYSTEMS, INC.'S  
MOTION TO ENFORCE SETTLEMENT AGREEMENT**

I, Matthew D. Michael, hereby declare as follows:

1. I am the Assistant General Counsel at Crane Co., Crane Merchandising Systems, Inc.'s ("CMS") parent company. In that role, I commonly engage on various litigation matters affecting Crane Co. and its subsidiaries, including CMS.
2. On February 14, 2020, I received a message via LinkedIn from Allen Huang, General Counsel of Swyft, Inc. ("Swyft"). *See* Exhibit 1. Mr. Huang identified himself as "Swyft's GC" and provided his email, [allenh@swyftstore.com](mailto:allenh@swyftstore.com).
3. Over the next several weeks, I had several discussions with Mr. Huang regarding settlement of this case and disputes between Crane and Swyft.
4. The following documents, which are exhibits to this declaration, are true and correct copies of email correspondence exchanged between me and Allen Huang with redactions only to prevent disclosure of communications between me and Crane's outside counsel:

Exhibit	Description
1	Email chain ending February 14, 2020, between A. Huang and M. Michael (which includes LinkedIn message)
2	Email chain ending March 5, 2020, between A. Huang and M. Michael
3	Email chain ending March 13, 2020, between A. Huang and M. Michael
4	April 9, 2020 email from A. Huang to M. Michael
5	Email chain ending June 26, 2020, between A. Huang and M. Michael

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 23, 2020.

  
Matthew D. Michael, Esq.

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# **Exhibits D-1 through D-5 Redacted in Their Entirety**

**CERTIFICATE OF SERVICE**

I, Samantha G. Wilson, hereby certify that on December 30, 2020, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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*Attorneys for NewZoom, LLC, Best Buy Stores, L.P.,  
Benefit Cosmetics LLC, and Macy's Inc.*

I further certify that on December 30, 2020, I caused a copy of the foregoing document to be served by e-mail on all counsel of record.

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

/s/ Samantha G. Wilson

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Dated: December 30, 2020

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Defendant Crane Merchandising Systems,  
Inc.*